

# House Amendment 8025

PAG LIN

1 1 Amend House File 2212 as follows:  
1 2 #1. By striking everything after the enacting  
1 3 clause and inserting the following:  
1 4 <Section 1. Section 142B.1, subsection 3, Code  
1 5 2007, is amended to read as follows:  
1 6 3. "Public place" means any enclosed indoor area  
1 7 used by the general public or serving as a place of  
1 8 work containing two hundred fifty or more square feet  
1 9 of floor space, including, but not limited to, all  
1 10 restaurants ~~with a seating capacity greater than~~  
~~1 11 fifty~~, all retail stores, lobbies and malls, offices,  
1 12 including waiting rooms, and other commercial  
1 13 establishments; public conveyances with departures,  
1 14 travel, and destination entirely within this state;  
1 15 educational facilities; hospitals, clinics, nursing  
1 16 homes, and other health care and medical facilities;  
1 17 and auditoriums, elevators, theaters, libraries, art  
1 18 museums, concert halls, indoor arenas, and meeting  
1 19 rooms. "Public place" does not include a retail store  
1 20 at which fifty percent or more of the sales result  
1 21 from the sale of tobacco or tobacco products, the  
1 22 portion of a retail store where tobacco or tobacco  
1 23 products are sold, a private, enclosed office occupied  
1 24 exclusively by smokers even though the office may be  
1 25 visited by nonsmokers, a room used primarily as the  
1 26 residence of students or other persons at an  
1 27 educational facility, a sleeping room in a motel or  
1 28 hotel, or each resident's room in a health care  
1 29 facility. The person in custody or control of the  
1 30 facility shall provide a sufficient number of rooms in  
1 31 which smoking is not permitted to accommodate all  
1 32 persons who desire such rooms.  
1 33 Sec. 2. Section 142B.2, Code 2007, is amended by  
1 34 adding the following new subsection:  
1 35 NEW SUBSECTION. 5. Notwithstanding subsection 1,  
1 36 smoking is prohibited in all restaurants.>  
1 37 #2. Title page, line 1, by striking the words <a  
1 38 smokefree air Act and providing penalties> and  
1 39 inserting the following: <smokefree restaurants, and  
1 40 making penalties applicable>.  
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1 44 PAULSEN of Linn  
1 45 HF 2212.713 82  
1 46 pf/rj/10585

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